

Panaji, 6th March, 1986 (Phalgun 15, 1907)

SERIES I No. 49

OFFICIAL



GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Power, Supply and Welfare Department

ORDER

11-47-80/LAWD

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the Government of Indian Ministry of Agriculture (Department of Food) Order No. GSR 316 (E) dated 20-6-1972 and with the prior concurrence of the Central Government, the Government of Goa, Daman and Diu hereby makes the following Order so as to amend the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983, namely:—

1. *Short title and commencement.*—(1) This order may be called the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) (Amendment) Order, 1986.

(2) It shall come into force at once.

2. *Amendment of clause 3.*—In clause 3 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983 (hereinafter referred to as the "principal Order"), in sub-clause (1), for the figures "1000", the figures "3000" shall be substituted.

3. *Amendment of clause 40.*—In clause 4 of the principal Order, for the figures "1000", the figures "3000" shall be substituted.

By order and in the name of the Lieutenant Governor of Goa, Daman & Diu.

A. V. Pimenta, Under Secretary (P.S. & W.D.).
Panaji, 21st February, 1986.

Law Department

Legal Affairs Branch

Notification

LD/8/3/85-L.A.B.

The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1985 (No. 20 of 1985), the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 (No. 21 of 1985); the Handlooms

(Reservation of Article for Production.) Act, 1985 (No. 22 of 1985); the National Security (Amendment) Act, 1985 (No. 23 of 1985) and the Government of Union Territories (Amendment) Act, 1985 (No. 24 of 1985) which were passed by Parliament and assented to by the President of India on the 29th March, 1985 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 29-3-1985, are hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

The Requisitioning and Acquisition of Immovable Property
(Amendment) Act, 1985

AN

ACT

further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the 8th day of March, 1985.

2. *Amendment of section 6.*—In section 6 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (hereinafter referred to as the principal Act), in sub-section (1A), for the words "fifteen years", wherever they occur, the words "seventeen years" shall be substituted.

3. *Amendment of section 8.*—In section 8 of the principal Act, in sub-section (2A), in clause (c), for sub-clause (ii), the following sub-clause shall be substituted, namely:—

"(ii) secondly with effect from the date of expiry of five years, and thirdly with effect from the date of expiry of ten years, from the date on which the revision under sub-clause (i) takes effect."

4. *Repeal and saving.*—(1) The Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1985, 2 of 1985, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

The Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985

AN

ACT

to confer certain powers on the Central Government to secure that claims arising out of, or connected with, the Bhopal gas leak disaster are dealt with speedily, effectively, equitably and to the best advantage of the claimants and for matters incidental thereto.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985.

(2) It shall be deemed to have come into force on the 20th day of February, 1985.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “Bhopal gas leak disaster” or “disaster” means the occurrence on the 2nd and 3rd days of December, 1984, which involved the release of highly noxious and abnormally dangerous gas from a plant in Bhopal (being a plant of the Union Carbide India Limited, a subsidiary of the Union Carbide Corporation, U.S.A.) and which resulted in loss of life and damage to property on an extensive scale;

(b) “claim” means—

(i) a claim, arising out of, or connected with, the disaster, for compensation or damages for any loss of life or personal injury which has been, or is likely to be, suffered;

(ii) a claim, arising out of, or connected with, the disaster, for any damage to property which has been, or is likely to be, sustained;

(iii) a claim for expenses incurred or required to be incurred for containing the disaster or mitigating or otherwise coping with the effect of the disaster;

(iv) any other claim (including any claim by way of loss of business or employment) arising out of, or connected with, the disaster;

(c) “claimant” means a person entitled to make a claim;

(d) “Commissioner” means the Commissioner appointed under section 6;

(e) “person” includes the Government;

(f) “Scheme” means a Scheme framed under section 9.

Explanation.— For the purposes of clauses (b) and (c), where the death of a person has taken place as a result of the disaster, the claim for

compensation or damages for the death of such person shall be for the benefit of the spouse, children (including a child in the womb) and other heirs of the deceased and they shall be deemed to be the claimants in respect thereof.

3. *Power of Central Government to represent claimants.*— (1) Subject to the other provisions of this Act, the Central Government shall, and shall have the exclusive right to, represent, and act in place of (whether within or outside India) every person who has made, or is entitled to make, a claim for all purposes connected with such claim in the same manner and to the same effect as such person.

(2) In particular and without prejudice to the generality of the provisions of sub-section (1), the purposes referred to therein include—

(a) institution of any suit or other proceeding in or before any court or other authority (whether within or outside India) or withdrawal of any such suit or other proceeding, and

(b) entering into a compromise.

(3) The provisions of sub-section (1) shall apply also in relation to claims in respect of which suits or other proceedings have been instituted in or before any court or other authority (whether within or outside India) before the commencement of this Act:

Provided that in the case of any such suit or other proceeding with respect to any claim pending immediately before the commencement of this Act in or before any court or other authority outside India, the Central Government shall represent, and act in place of, or along with, such claimant, if such court or other authority so permits.

4. *Claimant's right to be represented by a legal practitioner.*— Notwithstanding anything contained in section 3, in representing, and acting in place of, any person in relation to any claim, the Central Government shall have due regard to any matters which such person may require to be urged with respect to his claim and shall, if such person so desires, permit at the expense of such person, a legal practitioner of his choice to be associated in the conduct of any suit or other proceeding relating to his claim.

5. *Power of Central Government.*— (1) For the purpose of discharging its functions under this Act, the Central Government shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents;

(f) any other matter which the Central Government may, by notification in the Official Gazette, specify.

(2) Every notification made under clause (f) of sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

6. *Commissioner and other officers and employees.*—(1) For the purpose of assisting it in discharging its functions under this Act, the Central Government may appoint an officer, to be known as the Commissioner for the welfare of the victims of the Bhopal gas leak disaster, and such other officers and employees to assist him as that Government may deem fit.

(2) The Commissioner shall discharge such functions as may be assigned to him by the Scheme.

(3) The Commissioner and such of the officers subordinate to him as may be authorised by the Central Government by notification in the Official Gazette in this behalf may, for the discharge of their functions under the Scheme, exercise all or any of the powers which the Central Government may exercise under section 5.

(4) All officers and authorities of the Government shall act in aid of the Commissioner.

7. *Power to delegate.*—The Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, all or any of its powers under this Act (excepting the power under section 9 to frame a Scheme) to the Government of Madhya Pradesh or an officer of the Central Government not below the rank of a Joint Secretary to that Government or an officer of the Government of Madhya Pradesh not below the rank of a Secretary to that Government.

8. *Limitation.*—(1) In computing, under the Limitation Act, 1963 or any other ³⁶ of 1963. law for the time being in force, the period of limitation for the purpose of instituting a suit or other proceeding for the enforcement of a claim, any period after the date on which such claim is registered under, and in accordance with, the provisions of the Scheme shall be excluded.

(2) Nothing in sub-section (1) shall apply to any proceedings by way of appeal.

9. *Power to frame a Scheme.*—(1) The Central Government shall, for carrying into effect the purposes of this Act, frame by notification in the

Official Gazette a Scheme as soon as may be after the commencement of this Act.

(2) In particular and without prejudice to the generality of the provisions of sub-section (1), a Scheme may provide for all or any of the following matters, namely:—

(a) the registration of the claims under the Scheme and all matters connected with such registration;

(b) the processing of the claims for securing their enforcement and matters connected therewith;

(c) the maintenance of records and registers in respect of the claims;

(d) the creation of a fund for meeting expenses in connection with the administration of the Scheme and of the provisions of this Act;

(e) the amounts which the Central Government may, after due appropriation made by Parliament by law in that behalf, credit to the fund referred to in clause (d) and any other amounts which may be credited to such fund;

(f) the utilisation, by way of disbursement (including apportionment) or otherwise, of any amounts received in satisfaction of the claims;

(g) the officer (being a judicial officer of a rank not lower than that of a District Judge) who may make such disbursement or apportionment in the event of a dispute;

(h) the maintenance and audit of accounts with respect to the amounts referred to in clauses (e) and (f);

(i) the functions of the Commissioner and other officers and employees appointed under section 6.

(3) Every Scheme framed under sub-section (1) shall be laid, as soon as may be after it is framed, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Scheme or both Houses agree that the Scheme should not be framed, the Scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Scheme.

10. *Removal of doubts.*—For the removal of doubts, it is hereby declared that—

(a) any sums paid by the Government to a claimant otherwise than by way of disbursement of the compensation or damages received as a result of the adjudication or settlement of his claim by a court or other authority, shall be deemed to be without prejudice to the adjudication or settlement by such court or other authority of his claim to receive compensation or damages in satisfaction of his claim and shall not be taken into account by such court or other authority in determining the amount of compensation or damages

to which he may be entitled in satisfaction of his claim;

(b) in disbursing under the Scheme the amount received by way of compensation or damages in satisfaction of a claim as a result of the adjudication or settlement of the claim by a court or other authority, deduction shall be made from such amount of the sums, if any, paid to the claimant by the Government before the disbursement of such amount.

11. *Overriding effect.*—The provisions of this Act and of any Scheme framed thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

12. *Repeal and saving.*—(1) The Bhopal Gas Leak Disaster (Processing of Claims) Ordinance, 1985, is hereby repealed. 1 of 1985.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

The Handlooms (Reservation of articles for Production) Act, 1985

AN

ACT

to provide for reservation of certain articles for exclusive production by handlooms and for matters connected therewith.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Handlooms (Reservation of Articles for Production) Act, 1985.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Advisory Committee” means the Advisory Committee constituted under section 4;

(b) “handloom” means any loom, other than powerloom;

(c) “manufacturer” includes the producer and processor, and the expression “manufacture” shall be construed accordingly;

(d) “powerloom” means a loom which is worked by power as defined in clause (g) of section 2 of the Factories Act, 1948;

63 of 1948

(e) “processor” means a person engaged in any ancillary process subsequent to the production of cloth, such as dyeing, bleaching, mercerising, ca-

endering, embroidering, printing, raising cloth embossing or any other finishing process, but does not include a producer, and the expression “process” shall be construed accordingly;

(f) “producer” means a person engaged in the production of cloth on any loom, other than handloom, and shall include a person who owns, works or operates on, a loom for the production of cloth, and the expression “produce” shall be construed accordingly.

3. *Power to specify articles for exclusive production by handlooms.*—(1)

Notwithstanding anything contained in the Industries (Development and Regulation) Act, 1951, the Central Government may, if it is satisfied, after considering the recommendations made to it by the Advisory Committee, that it is necessary so to do for the protection and development of the handloom industry, by order published in the Official Gazette, direct, from time to time, that any article or class of articles shall, on and from such date as may be specified in the order (herein after referred to as the date of reservation), be reserved for exclusive production by handlooms.

65 of 1951.

(2) Every order published under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

4. *Constitution of Advisory Committee.*—(1) The Central Government shall, with a view to determining the nature of any article or class of articles that may be reserved for exclusive production by handlooms, constitute an Advisory Committee consisting of such persons as have, in the opinion of that Government, the necessary expertise to give advice on the matter.

(2) The Advisory Committee shall, after considering the following matters, communicate its recommendations to the Central Government, namely:—

(a) the article or class of articles which is being produced by handlooms for mass consumption;

(b) the article or class of articles which is being produced traditionally by handlooms;

(c) the level of employment likely to be generated by the production of the article or class of articles referred to in clause (a) or clause (b) exclusively by handlooms;

(d) the protection of interests of persons engaged in the handloom industry and the need for the continued maintenance of the industry; and

(e) such other matters as the Advisory Committee may think fit.

5. *Prohibition of production of articles exclusively reserved for handlooms.* — Where an order has been made under section 3 reserving any article or class of articles for exclusive production by handlooms, such article or class of articles shall not, on and from the date of reservation, be produced by any loom, other than handloom:

Provided that any person who, immediately before the date of reservation of any article or class of articles, was engaged in the production of such article or class of articles in any loom, other than handloom may continue to be so engaged till the expiry of three months from the date of such reservation.

6. *Power to call for information or to furnish samples.* — (1) The Central Government may, by order, require any manufacturer to furnish, for the purposes of this Act,—

(a) such information in his possession with respect to any manufacturing activity or business carried on by him or by any other person to any officer or authority specified by it in such form and within such period as may be specified by that Government in the order;

(b) such samples of any articles manufactured by him or by any other person for inspection by such officer or authority, at such places and within such period as may be specified by it in the order.

(2) Where any order has been issued to any manufacturer under sub-section (1), he shall comply with such order.

7. *Power to enter and inspect.* — Any officer authorised by the Central Government (hereinafter referred to as the authorised officer) may enter, at all reasonable times, any place or premises of any manufacturer in which any textile articles are stored, kept or exposed for sale and may require the production for inspection of any books of account, registers, records or other documents kept therein and ask for such information relating to the manufacture, storage or keeping for sale of any such articles or to any powerlooms that may be found in such place as he may think fit for the purposes of carrying into effect the provisions of this Act.

8. *Power to search and seize.* — (1) If the authorised officer has any reason to believe that,—

(a) any article or class of articles specified in any order made under section 3 is being produced in any place in contravention of such order; or

(b) any article or class of articles produced in contravention of such order are secreted in any place; or

(c) any article or class of articles is liable to forfeiture under this Act,

he may enter into and search such place or premises for such article, or class of articles or any powerloom which in the opinion of the authorised officer may have been used for the production of such article or class of articles.

(2) Where, as a result of any search made under sub-section (1), any article or class of articles or any powerloom has been found and the authorised officer has reason to believe that such article or class of articles has been produced, or such powerloom has been used for the production of any article or class of articles, in contravention of any order made under section 3, he may seize such article, class of articles or powerloom, together with the package, covering or receptacle, if any, in which such article or class of articles is found:

Provided that where it is not practicable to seize any article or powerloom, the authorised officer may serve on the owner of the article or the powerloom, as the case may be, an order that he shall not remove, part with, or otherwise deal with the article or powerloom except with the previous permission of such authorised officer.

(3) Where any article or powerloom is seized under sub-section (2) and no prosecution has been launched within six months of such seizure, it shall be returned to the person from whose possession it was seized.

(4) The authorised officer may also seize any documents or things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act.

(5) The person from whose custody any documents are seized under sub-section (4) shall be entitled to make copies thereof or take extracts therefrom in the presence of the authorised officer.

(6) If any person legally entitled to the documents or things seized under sub-section (4) objects, for any reason, to the retention by the authorised officer of the documents or things, he may make an application to the Central Government stating therein the reasons for such objection and requesting for the return of the documents or things.

(7) On receipt of an application under sub-section (6), the Central Government may, after giving the applicant an opportunity of being heard, pass such order as it may think fit.

9. *Search and seizure to be made in accordance with the Code of Criminal Procedure, 1973.* — The provisions of the Code of Criminal Procedure, 1973, relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this Act.

10. *Penalty for contravention of orders made under section 3.* — Whoever produces any article or class of articles in contravention of an order made under section 3,—

(a) shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees per loom by which the said article or class of articles is produced, or with both, and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees per loom for every day during which such contravention continues after conviction for the first such contravention; and

(b) the article or class of articles in respect of which the order has been contravened or any powerloom by the use of which such order is contravened, including any package, covering or receptacle in which the article or class of articles is found, shall be forfeited to the Central Government:

Provided that if the court is of opinion that it is not necessary to direct forfeiture in respect of any of the articles, powerloom or any package, covering or receptacle, it may, for reasons to be recorded, refrain from doing so.

11. False statement.—If any person,—

(a) when required by any order made under, section 6 to furnish any information or sample, makes any statement or furnishes any information which is false in any material particular and which he knows, or has reasonable cause to believe, to be false or does not believe it to be true, or fails to furnish such sample or damages or destroys any article from which such sample was required; or

(b) when required by the authorised officer under section 7 to produce any books of account, registers, records or other documents, fails to produce, or damages or destroys any such books, registers or other documents,

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

12. Attempts and abetment.—Any person who attempts to contravene or abets the contravention of any order made under section 3 shall be deemed to have contravened that order.

13. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a cooperative society registered or deemed to be registered under any law for the time

being in force, in form or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

14. Offences to be cognizable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every 2 of 1974. offence punishable under this Act shall be cognizable.

15. Power to delegate.—The Central Government may, by order, direct that the powers exercisable by it under any provision of this Act, other than the power to make orders under section 3 or under section 18 or to make rules under section 19, shall in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by—

(a) such officer or authority subordinate to the Central Government; or

(b) such State Government or such officer or authority subordinate to a State Government,

as may be specified in the direction.

16. Power of Central Government to give directions.—The Central Government may give such directions as it may consider necessary to a State Government as to the carrying into execution of the provisions of this Act.

17. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government, State Government or any officer or employee of the Central Government or of any State Government or any authorised officer for anything which is in good faith done or intending to be done under this Act or an order made under section 3.

18. Power to exempt.—(1) If the Central Government is satisfied that the demand for any article or class of articles reserved by an order under section 3 outside India is such that it is not possible for the handloom industry to meet such demand or any such article or class of articles is required to be produced for purposes of research or for the development of markets for such article or class of articles or of the handloom industry generally, it is necessary or expedient so to do, it may, by order published in the Official Gazette, exempt such article or class of articles from the operation of such order, and permit such article or class of articles to be produced by any powerloom solely for the purposes of export or for research by such institutions as may be specified in the order.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however,

that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

19. *Power to make rules.* — (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The National Security (Amendment) Act, 1985

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ACT

further to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the National Security (Amendment) Act, 1985.

2. *Amendment of section 14 A.* — In the National Security Act, 1980, as applicable to the State of Punjab and the Union territory of Chandigarh, in sub-section (1) of section 14A, for the figures, letters and words "3rd day of April, 1985", the figures, letters and words "3rd day of April, 1986" shall be substituted. 65 of 1980.

The Government of Union Territories (Amendment) Act, 1985

AN

ACT

further to amend the Government of Union Territories Act, 1963.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the Government of Union Territories (Amendment) Act, 1985.

2. *Amendment of section 13.* — In the Government of Union Territories Act, 1963 (hereinafter referred to as the principal Act), in section 13, in clause (a) of sub-section (2), for the word and figures "section 14", the words, figures letter "section 14 or section 14A" shall be substituted.

3. *Insertion of new section 14A.* — After section 14 of the principal Act, the following section shall be inserted, namely: —

"14A. *Disqualification on ground of defection for a member.* — The provisions of the Tenth Schedule to the Constitution shall, subject to the necessary modifications (including modifications for construing references therein to the Legislative Assembly of a State, article 188, article 194 and article 212 as references, respectively, to the Legislative Assembly of a Union territory, section 11, section 16 and section 37 of this Act), apply to and in relation to the members of the Legislative Assembly of a Union territory as they apply to and in relation to the members of the Legislative Assembly of a State, and accordingly, —

(a) the said Tenth Schedule as so modified shall be deemed to form part of this Act; and

(b) a person shall be disqualified for being a member of the Legislative Assembly of a Union territory if he is so disqualified under the said Tenth Schedule as so modified."

Establishment Branch

Office of the Chief Electoral Officer

Notification

3-4-79/ELEC/Vol.I

The following Notification No. 56/84-XIX dated 27th January, 1986 issued by the Election Commission of India, New Delhi, is hereby published for general information.

M. Raghubandar, Addl. Chief Electoral Officer,
Panaji, 14th February, 1986.

Election Commission of India

New Delhi — 110001.

Dated the 27th January, 1986
Magha 7, 1907 (S)

S.O. — Whereas the Election Commission of India has considered the application of Jagrat Orissa for registration of that Association under paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application, and has decided to register that Association under the name and style of 'JAGRAT ORISSA' as an un-recognised political party in respect of the State of Orissa under the provisions of paragraph 3 of the said Symbols Order, subject to the following conditions: —

- (i) The Party shall communicate to the Commission without delay any change in its name, head office, office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;
- (ii) The Party shall intimate the Commission immediately whenever any amendments are issued to Party Constitution along-

with the relevant documents like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendment (s) has/have been carried;

- (iii) The Party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc. properly;
- (iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and
- (v) The registration granted shall be reviewed by the Commission from time to time.

Now, therefore, in pursuance of the provisions contained in clause (c) of sub-para (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendment to its Notification No. 56/84-I, dated the 13th November, 1984, as amended from time to time: —

In Table 3 appended to the said Notification, under column 1 and 2 after the entry "14. Nagaland People Party — Nagaland", the entry "15. Jagrat Orissa — Orissa" shall be inserted.

[No. 56/84-XIX]

By order,
(R. P. BHALLA)
SECRETARY

Notification

3-4-79/ELEC-Vol.II

The following Notification No. 56/84-XX dated 10th February, 1986 issued by the Election Commission of India, New Delhi is hereby published for general information.

M. Raghuchandar, Addl. Chief Electoral Officer.
Panaji, 24th February, 1986.

Election Commission of India
New Delhi,

Dated the 10th February, 1986
Maha 21, 1907 (S).

S.O. — Whereas the Election Commission of India has considered the application of 'Indian Farmers and Toilers Party' for its registration under para 3

of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application, and has decided to register that association under the name and style of 'Indian Farmers and Toilers Party' as an unrecognised political party in respect of the state of Tamil Nadu under the provisions of paragraph 3 of the said Symbols Order, subject to the following conditions:—

- (i) The party shall communicate to the Commission without delay any change in its name, head office, office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;
- (ii) The party shall intimate the Commission immediately whenever any amendments are issued to party constitution alongwith the relevant documents, like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendment(s) has/have been carried;
- (iii) The party shall maintain all the records like minutes book, accounts book, membership register, receipt books etc. properly;
- (iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and
- (v) The registration granted shall be reviewed by the Commission from time to time.

Now, therefore, in pursuance of the provisions contained in clause (c) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendment to its notification No. 56/84-I, dated the 13th November, 1984, as amended from time to time:

In Table 3 appended to the said notification, under column 1 and 2 after the entry '15. Jagrat Orissa — Orissa' the entry "16. Indian Farmers & Toilers Party — Tamil Nadu" shall be inserted.

[No. 56/84-XX]

By order,
(R. P. BHALLA)
Secretary